IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.254 OF 2006
IN
SECOND APPEAL NO.677 OF 2005

Anandrao Baburao Yadav & Anr. ..Applicants.

V/s.

Shri Vasant Dadu Koli & Anr. ..Respondents.

Mr.R.V.More for applicants.

CORAM: A.M.KHANWILKAR,J

DATE : FEBRUARY 21, 2006.

P.C. :

1. Ordinarily there is no reason to grant further time to the applicants, as is prayed in the present application. This is so because sufficient time was granted by this Court while disposing Second Appeal on December 9, 2005. In the application in paragraph-7 statement is made that the applicants could not take steps to approach to the Supreme Court because of short period granted by this Court. However, across the bar the counsel for the applicants on instruction states that the applicants now have no intention to file appeal before the Supreme Court and will vacate the suit premises unconditionally within eight weeks from today. That oral assurance is accepted.

2. In other words, the applicants assure before this Court through their counsel that they will not file any appeal before the Apex Court and that they will vacate the disputed premises unconditionally within 8 weeks from today. On the aforesaid undertaking/assurance given by the applicants through their counsel, this application is allowed in terms of prayer clause (b). Applicants to file usual affidavit of undertaking before this Court within one week from today.

3. Application disposed of accordingly.